

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

SEP 03 2024

KEVIN P. WEIMER, Clerk
By:  Deputy Clerk

Lillie M. Middlebrooks, *pro se*
P.O. Box 1152
Rome, Georgia 30162

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
(ATLANTA DIVISION)**

LILLIE M. MIDDLEBROOKS,

Plaintiff,

vs.

**EQUIFAX INC., EQUIFAX
INFORMATION SERVICES LLC,**

Defendants.

Case No.: _____

1:24-CV-3921

**COMPLAINT FOR VIOLATIONS
OF THE FAIR CREDIT
REPORTING ACT**

JURY TRIAL DEMAND

COMPLAINT AND JURY TRIAL DEMAND

1. Plaintiff, Lillie M. Middlebrooks, appearing *pro se*, and for her Complaint against Equifax Inc and Equifax Information Services LLC states alleges, and avers as follows:

PRELIMINARY STATEMENT

2. This is an action for actual damages, punitive damages, costs, and attorneys' fees pursuant to 15 U.S.C. §§ 1681, et seq. of the Fair Credit Reporting

1 Act for Equifax Inc. and Equifax Information Services LLC's intentional failure to
2 produce Plaintiff's credit file as mandated by the FACT Act.

3
4 **JURISDICTION & VENUE**

5 3. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §
6 1681p.

7
8 4. Venue is proper in this Court under 28 U.S.C. § 1391(b), because the
9 events, acts, and omissions giving rise to Plaintiff's claims occurred in this District
10 in that Equifax Inc. and Equifax Information Services LLC carried out Equifax Inc.
11 and Equifax Information Services LLC's intentional failure to produce Plaintiff's
12 Equifax's credit file as mandated by the FACT Act in this judicial district because
13 Plaintiff's residential home is in this judicial district.
14
15

16 **PARTIES**

17
18 5. Plaintiff, Lillie M. Middlebrooks is an adult individual who is a
19 citizen of the State of Georgia.
20

21 6. Plaintiff is a "consumer" as defined by 15 U.S.C. § 1681a(c).

22 7. Defendant Equifax Inc. "Equifax" is a Georgia corporation with its
23 principal place of business located at 1550 Peachtree St. NW, H46, Atlanta,
24 Georgia 30309-2402.
25
26
27
28

1 8. Defendant, Equifax Information Services LLC (“Equifax”), is a
2 Georgia limited liability company with its principal place of business located at
3 1550 Peachtree St. NW, H46, Atlanta, Georgia 30309-2402.
4

5 **FACTUAL ALLEGATIONS**
6

7 9. Equifax Inc. is the parent corporation to Equifax Information Services
8 LLC. and owns 100% of Equifax Information Services LLC.
9

10 10. Equifax Inc. is regulated as a “consumer reporting agency” (“CRA”)
11 under the FCRA 15 U.S.C. § 1681a(f).
12

13 11. Equifax Information Services LLC is regulated as a “consumer
14 reporting agency” (“CRA”) under the FCRA 15 U.S.C. § 1681a(f).
15

16 12. Equifax Information Services LLC is wholly owned by Equifax, Inc.,
17 and both Equifax Inc. and Equifax Information Services LLC act as agents or the
18 alter-egos of each other in regards to the Fair Credit Reporting Act and in regards
19 the FACT Act
20

21 13. Equifax Inc. “Equifax” is a nationwide Consumer Reporting Agency
22 (CRA) that issues Annual File Disclosures pursuant to the FACT Act.
23

24 14. Equifax Information Services LLC (“Equifax”), is a nationwide
25 Consumer Reporting Agency (CRA) that issues Annual File Disclosures pursuant
26 to the FACT Act.
27
28

1 15. Central Source LLC is the centralized source for consumers to request
2 Annual File Disclosures from nationwide consumer reporting agencies as mandated
3 under 12 C.F.R. § 1022.136 (a).
4

5 16. The purpose of the centralized source is to enable consumers to make
6 a single request to obtain annual file disclosures from all nationwide consumer
7 reporting agencies, as required under section 612(a) of the FCRA, 15 U.S.C.
8 1681j(a). See 12 C.F.R. § 1022.136 (a).
9
10

11 17. Central Source LLC is jointly owned by Equifax Inc. (“Equifax”),
12 Experian Information Solutions, Inc. (“Experian”), and Trans Union, LLC (“Trans
13 Union”).
14

15 18. The Fair and Accurate Credit Transactions Act, or FACT Act, is
16 an amendment to the Fair Credit Reporting Act that was introduced back in
17 2003.
18

19 19. The FACT Act is the law that grants consumers access to one
20 free credit report every 12 months from each nationwide consumer credit
21 reporting agency, namely, Experian, Equifax, and Trans Union.
22

23 20. The FACT Act mandated for Experian, Equifax, and Trans Union
24 to create a “centralized source” for consumers to contact for a free credit report as
25 authorized under the FACT Act.
26
27
28

1 21. In 2004, Experian joined Equifax, and Trans Union to set up a
2 central contact point through which consumers may request a free annual credit
3 disclosure from each of the nationwide credit-reporting agencies.
4

5 22. Thereinafter, Equifax, Experian, and Trans Union jointly created a
6 company called “Central Source, LLC” as a joint venture to process consumers’
7 requests for free annual disclosures as mandated under the FACT Act.
8

9 23. To receive a free annual credit report, consumers need to provide
10 Central Source, LLC with the consumer’s name, consumer’s address, consumer’s
11 Social Security number, and consumer’s date of birth and then mail the
12 consumer’s request for an annual credit report to
13
14

15 **Annual Credit Report Request Service**

16 **P.O. Box 105281**

17 **Atlanta, GA 30348-5281**
18

19 24. Needlessly to say, during the month of August of 2022, Plaintiff
20 forwarded to Central Source, LLC in Atlanta, Georgia a properly completed
21 “Annual Credit Report Request Form” via United States Postal Service, first class
22 mail to request for disclosure and production of Plaintiff’s free annual credit report
23 from Equifax.
24
25
26
27
28

1 25. A copy of “Annual Credit Report Request Form” is attached hereto as
2 Exhibit A.

3
4 26. Within the Annual Credit Report Request Form, Plaintiff provided
5 Central Source, LLC and Equifax Inc. with Plaintiff’s name, Plaintiff’s address,
6 Plaintiff’s Social Security number, and Plaintiff’s date of birth for Central Source,
7 LLC, and Equifax Inc. to mail Plaintiff’s free Equifax’s credit report to Plaintiff’s
8 mailing address located in Northwest Georgia.
9
10

11 27. Thereinafter, on or about September 9, 2022, Equifax Inc. and
12 Equifax Information Services LLC caused a letter to be mailed to Plaintiff’s
13 mailing address located in Northwest Georgia which stated in pertinent part:
14

15 We received your request for your annual free credit
16 report from Equifax and look forward to assisting you. In
17 order to protect you identity and ensure your privacy, we
18 need some additional information before sending you
your report.

19 Because the information you provided as proof of your
20 identity does not match the information, we currently
21 have on your credit file, we ask that you send us a copy
22 of two different items- one from each of the two
23 categories listed below. One item will verify your
24 identity and the other will verify your current address.
We are responding to your request for a free annual
credit report.

1 28. Equifax Inc. and Equifax Information Services LLC mandated
2 Plaintiff to mail a copy of one of the following four (pay stub with complete social
3 security number, W2 form with complete social security number, or valid social
4 security card for Plaintiff to receive Plaintiff's annual credit file under the FACT
5 Act during the year of 2022.
6
7

8 29. Equifax Inc. and Equifax Information Services LLC mandated
9 Plaintiff to mail a copy of one of the following four (driver's license
10 rental/agreement, pay stubs with address, and utility bill) for Plaintiff to receive
11 Plaintiff's annual credit file under the FACT Act during the year of 2022.
12
13

14 30. Thus, on or about September 9, 2022, Equifax Inc., and Equifax
15 Information Services LLC mandated for Plaintiff to send a valid copy of
16 Plaintiff's social security card and a valid copy of a Plaintiff's driver's license, in
17 order for Plaintiff to receive a copy of Plaintiff's annual free credit file from
18 Equifax Inc. and Equifax Information Services LLC because Equifax Inc. and
19 Equifax Information Services LLC fraudulently attested that the information that
20 Plaintiff provided on the Annual Credit Report Request Form dated for 2022 did
21 not match the information that Equifax Inc. and Equifax Information Services
22 LLC has in Plaintiff's Equifax credit file.
23
24
25
26
27
28

1 31. In mandating Plaintiff to produce a valid copy of Plaintiff's social
2 security card and to produce a valid copy of Plaintiff's drivers' license, Equifax
3 Inc. and Equifax Information Services LLC willfully violated the FCRA by not
4 providing Plaintiff with a free copy of Plaintiff's annual credit file on September 9,
5 2022, under the FACT Act because Equifax Inc. and Equifax Information Services
6 LLC willfully lied that the identifying information that Plaintiff provided on the
7 Annual Credit Report Request Form in 2022 did not match the identifying
8 information that Equifax Inc. and Equifax Information Services LLC has in
9 Plaintiff's Equifax credit file.
10
11
12

13
14 32. Ironically, in 2019, 2020, and 2021, Plaintiff provided the same
15 identifying information that Plaintiff mailed to Equifax in 2022 and in 2019, 2020,
16 and 2021 Equifax Inc. and Equifax Information Services LLC provided Plaintiff
17 with a free copy of Plaintiff's Equifax credit file in 2019, 2022, and 2021 under
18 the FACT Act.
19
20

21 33. Thus, in 2022 Equifax Inc. and Equifax Information Services LLC
22 willfully violated the FCRA by not providing Plaintiff with a free copy of
23 Plaintiff's annual credit file on September 9, 2022 under the FACT Act, because
24 Equifax Inc. and Equifax Information Services LLC willfully lied that the
25 identifying information that Plaintiff provided on the Annual Credit Report
26
27
28

1 Request Form in 2022 did not match the identifying information that Equifax Inc.
2 and Equifax Information Services LLC has in Plaintiff's Equifax credit file.

3
4 34. Needlessly to say, during the month of July of 2024, Plaintiff
5 forwarded to Central Source, LLC in Atlanta, Georgia a properly completed
6 "Annual Credit Report Request Form" via United States Postal Service, first class
7 mail to request for disclosure and production of Plaintiff's free annual credit report
8 from Equifax.
9

10
11 35. A copy of "Annual Credit Report Request Form" is attached hereto as
12 Exhibit A.
13

14 36. Within the Annual Credit Report Request Form, Plaintiff provided
15 Central Source, LLC and Equifax Inc. with Plaintiff's name, Plaintiff's address,
16 Plaintiff's Social Security number, and Plaintiff's date of birth for Central Source,
17 LLC, and Equifax Inc. to mail Plaintiff's free Equifax's credit report to Plaintiff's
18 mailing address located in Northwest Georgia.
19

20
21 37. Needless to say, Equifax Inc. and Equifax Information Services LLC
22 did not provide Plaintiff with Plaintiff's free annual consumer disclosure within
23 fifteen (15) days after the receipt of Plaintiff's request for a free credit report that
24 Plaintiff forwarded to Central Source, LLC during the month of July of 2024. See
25 15 U.S.C. § 1681j(a)(2)
26
27
28

1 38. Henceforth, Equifax Inc. and Equifax Information Services LLC did
2 not provide Plaintiff with Plaintiff's free annual consumer disclosure within fifteen
3 (15) days after the receipt of Plaintiff's request for a free credit report that Plaintiff
4 forwarded to Central Source, LLC during the month of of 2022. See 15 U.S.C. §
5 1681j(a)(2).
6

7
8 39. In doing the acts and omissions as set out in this complaint, Equifax
9 Inc., and Equifax Information Services LLC willfully subjected Plaintiff to
10 arbitrary, additional, unnecessary, unequal, and onerous requirement as conditions
11 for disclosure of Plaintiff's free Equifax's consumer report to willfully deny
12 Plaintiff's access to Plaintiff's Equifax credit file.
13
14

15 40. In doing the acts and omissions as set out in this Complaint, Equifax
16 Inc. and Equifax Information Services LLC maliciously, willfully, and knowingly
17 subjected Plaintiff to disgrace, ridicule, and discrimination by falsely claiming that
18 Plaintiff did not provide sufficient personal information necessary to properly
19 identify Plaintiff when Plaintiff forwarded to Central Source, LLC in Atlanta,
20 Georgia a properly completed "Annual Credit Report Request Form" via United
21 States Postal Service, first class mail to request for disclosure and production of
22 Plaintiff's free credit report from Equifax during the month of August of 2022.
23
24
25
26
27
28

1 41. In doing the acts and omissions as set out in this Complaint, Equifax
2 Inc. and Equifax Information Services LLC willfully violated the FCRA when
3 Equifax Inc. and Equifax Information Services LLC emphatically refused to
4 disclose Plaintiff's free consumer credit file to Plaintiff no later than 15 days after
5 the date that Plaintiff forwarded to Central Source, LLC in Atlanta, Georgia a
6 properly completed "Annual Credit Report Request Form" via United States
7 Postal Service, first class mail during the month of August of 2022 and July of
8 2024.

9 42. As a result of Equifax Inc. and Equifax Information Services LLC ill
10 will, vindictive, and profoundly vicious conduct, Plaintiff is severely injured
11 psychologically and emotionally thus causing Plaintiff to experience excessive
12 anxiety, worry, apprehension, feeling on edged, irritability, anger, frustration,
13 humiliation, difficulty falling and staying asleep, interference with normal and
14 usual activities, and profound exacerbation of physical health related problems.

15 43. Plaintiff seeks actual damages, punitive damages, costs, and
16 attorneys' fees, all of which are expressly provided by FCRA.

17
18
19
20
21
22
23 **COUNT 1:**

24 **Willful violation of 15 U.S.C. § 1681j(a)(1)(A) for Equifax Inc. and Equifax**
25 **Information Services LLC's willful failure to provide Plaintiff a free copy of**
26 **Plaintiff's Equifax's credit report on September 9, 2022**

27 **(Against Equifax Inc. and Equifax Information Services LLC)**
28

COUNT 2:

Willful violation of 15 U.S.C. § 1681j(a)(1)(A) for Equifax Inc. and Equifax Information Services LLC's willful failure to provide Plaintiff a free copy of Plaintiff's Equifax's credit report during the month of July of 2024

(Against Equifax Inc. and Equifax Information Services LLC)

COUNT 3:

Willful violation of 15 U.S.C. § 1681j(a)(2) for Equifax Inc. and Equifax Information Services LLC's willful failure to provide Plaintiff a free copy of Plaintiff's Equifax's credit report within 15 days of the receipt of Plaintiff's Annual Credit Report Request form mailed August 2022

(Against Equifax Inc. and Equifax Information Services LLC)

COUNT 4:

Willful violation of 15 U.S.C. § 1681j(a)(2) for Equifax Inc. and Equifax Information Services LLC's willful failure to provide Plaintiff a free copy of Plaintiff's Equifax's credit report within 15 days of the receipt of Plaintiff's Annual Credit Report Request form mailed July 2024

(Against Equifax Inc. and Equifax Information Services LLC)

44. Plaintiff hereby states that paragraphs 1 through 43 contains sufficient facts to state a plausible claim for relief under 15 U.S.C. § 1681j(a)(1)(A) and 15 U.S.C. § 1681j(a)(2) of the FCRA as stated in Count 1, Count 2, Count 3, and Count 4 of Plaintiff's Complaint against Equifax Inc. and Equifax Information Services LLC.

1 45. Title 15 U.S.C. §1681j(a)(1)(A) provides: All consumer reporting
2 agencies described in subsections (p) and (w) of section 1681a of this title shall
3 make all disclosures pursuant to section 1681g of this title once during any 12-
4 month period upon request of the consumer and without charge to the consumer.
5

6 46. Title 15 U.S.C. § 1681j(a)(2) provides: A consumer reporting agency
7 shall provide a consumer report under paragraph (1) not later than 15 days after the
8 date on which the request is received under paragraph (1).
9

10 47. Equifax Inc. is a nationwide CRA.
11

12 48. Equifax Information Services LLC is a nationwide CRA.
13

14 49. Equifax Inc. and Equifax Information Services LLC willfully refused
15 to provide Plaintiff with Plaintiff's free annual disclosure on September 9, 2022
16 in direct violation of 15 U.S.C. §1681j(a)(1)(A).
17

18 50. Equifax Inc. and Equifax Information Services LLC willfully refused
19 to provide Plaintiff with Plaintiff's free annual disclosure during the month of July
20 of 2024 in direct violation of 15 U.S.C. §1681j(a)(1)(A).
21

22 51. Equifax Inc. and Equifax Information Services LLC willfully refused
23 to provide Plaintiff with Plaintiff's free annual disclosure within fifteen (15) days
24 of receipt of Plaintiff's properly completed "Annual Credit Report Request Form"
25

1 forwarded to Central Source, LLC during the month of August of 2022 and
2 during the month of July of 2024.
3

4 52. Equifax Inc. and Equifax Information Services LLC willfully violated
5 the FACT Act in reckless disregard of the rights of Plaintiff thereby exposing
6 Plaintiff to an increased risk of identity theft due to Plaintiff's inability to review
7 Plaintiff's Equifax's credit report for inaccurate information.
8

9 53. Equifax Inc. and Equifax Information Services LLC willfully violated
10 the FACT Act in reckless disregard of Plaintiff's rights which impeded Plaintiff's
11 ability from determining if the information in Plaintiff's Equifax's credit file is
12 accurate, complete, and up to date before applying for a loan for a major purchase
13 like a house or car.
14

15 54. As a result of Equifax Inc. and Equifax Information Services LLC's
16 willful violations of the FACT Act, Equifax Inc. and Equifax Information Services
17 LLC are liable to Plaintiff actual damages to proven at trial.
18

19 55. As a result of Equifax Inc. and Equifax Information Services LLC's
20 willful violations of the FACT Act, Plaintiff is entitled to punitive damages for
21 each violation. 15 U.S.C. §1681n(a)(2).
22
23
24
25
26
27
28

1 C) Punitive damages for willful violations of the FCRA as provided by
2 15 U.S.C. § 1681n(2);
3

4 D) Costs and attorneys' fees as provided for by 15 U.S.C. § 1681n(3)
5 and 15 U.S.C. § 1681o(2);
6

7 E) Such other and further relief as this Court deems just and proper.

8 **DEMAND FOR JURY TRIAL**

9 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff
10 hereby demands a trial by jury on all claims so triable.
11

12 Date: September 3, 2024

13 By: Lillie M. Middlebrooks
14 Lillie M. Middlebrooks, *pro se*
15 P.O. Box 1152
16 Rome, Georgia 30162
17
18
19
20
21
22
23
24
25
26
27
28